

201-6.12

**A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE
NORTH BRUNSWICK HOUSING CORPORATION AS ADMINISTRATIVE AGENT FOR THE
ADMINISTRATION OF AFFORDABLE UNITS WITHIN THE
TOWNSHIP OF NORTH BRUNSWICK, MIDDLESEX COUNTY, NEW JERSEY
AND THE TRANSFER OF FUNDS FROM THE AFFORDABLE HOUSING TRUST FUND TO THE
NORTH BRUNSWICK HOUSING CORPORATION FOR AFFORDABILITY ASSISTANCE IN
ACCORDANCE WITH THE TOWNSHIP'S AMENDED SPENDING PLAN APPROVED BY THE
N.J. DEPARTMENT OF COMMUNITY AFFAIRS**

WHEREAS, the Governing Body of the Township of North Brunswick petitioned the Council on Affordable Housing (COAH) for Substantive Certification of its Housing Element and Fair Share Plan in December of 2008; and

WHEREAS, the Township of North Brunswick's Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:94-1, et seq.); and

WHEREAS, the Mayor and Council of the Township of North Brunswick desire to enter into an agreement with the North Brunswick Housing Corporation for the purpose of administering and enforcing the operational procedures and the affordability controls and the Affirmative Marketing Plan of the Township of North Brunswick for the specific programs listed herein in accordance with the regulations of the Council on Affordable Housing pursuant to N.J.A.C. 5:94 et seq. and the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26 et seq.; and

WHEREAS, The Administrative Agent shall perform the duties and responsibilities of Administrative Agent as are set forth in the Rules, the Housing Rehabilitation Program Manual, the Market to Affordable Program Manual, and the Rent Subsidy Program components of the Township's Amended Housing Element and Fair Share Plan including those set forth in N.J.A.C. 5:80-26.14, 16 and 18 ; and

WHEREAS, the Township of North Brunswick (the "Township") petitioned for Substantive Certification of its Third Round Housing Element and Fair Share Plan by resolution 407-12.08 on December 31, 2008, in accordance with N.J.A.C. 5:97-8.1(d), and included in that petition was a spending plan which was approved on June 24, 2010; and

WHEREAS, the Township subsequently sought approval of a spending plan amendment, by resolution 328-12.11 on December 8, 2011, which the N.J. Department of Community Affairs (DCA), Local Planning Services, as a successor agency to COAH, and the DCA, formally approved on January 11, 2012, said approval authorizing the Township to begin disbursing Affordable Housing Trust Funds to the Housing Corporation in accordance with the approved spending plan as follows:

Housing Rehabilitation Program.....	\$1,075,000.00
Rent Subsidy Program	\$1,051,734.00
Market to Affordable Acquisitions and Renovations	\$450,000.00; and

WHEREAS, funding for the Market to Affordable Acquisitions and Renovations program is contingent upon future development fee revenue as described in the spending plan and not projected to be realized until calendar years 2013 through 2018; and

WHEREAS, the Chief Financial Officer hereby certifies that adequate funding is available for the Housing Rehabilitation and Rent Subsidy programs within the Affordable Housing Trust Fund (Account # D-36-56-850-000-001) as certified on purchase order numbers 12-xxx1 and 12-xxx2; and

WHEREAS, the Housing Corporation is entitled to a program administration fee to manage the Housing Rehabilitation and Rent Subsidy programs in an amount prescribed by affordable housing regulations at no more than 20% of the project cost and as detailed in the approved amended spending plan as follows;

Program Administration.....	\$425,346.80; and
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